

Authority: Toronto and East York Community Council Report No. 7, Clause No. 4a,
adopted as amended, by City of Toronto Council on October 26, 27,
28 and 31, 2005
Enacted by Council: October 28, 2005

CITY OF TORONTO

BY-LAW No. 953-2005

**To adopt Amendment No. 352 to the Official Plan for the former City of Toronto
with respect to lands known municipally as 77 Charles Street West.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and map annexed hereto as Schedule “A” are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. Section 18.359 is repealed.
3. This is Official Plan Amendment No. 352.

ENACTED AND PASSED this 28th day of October, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”

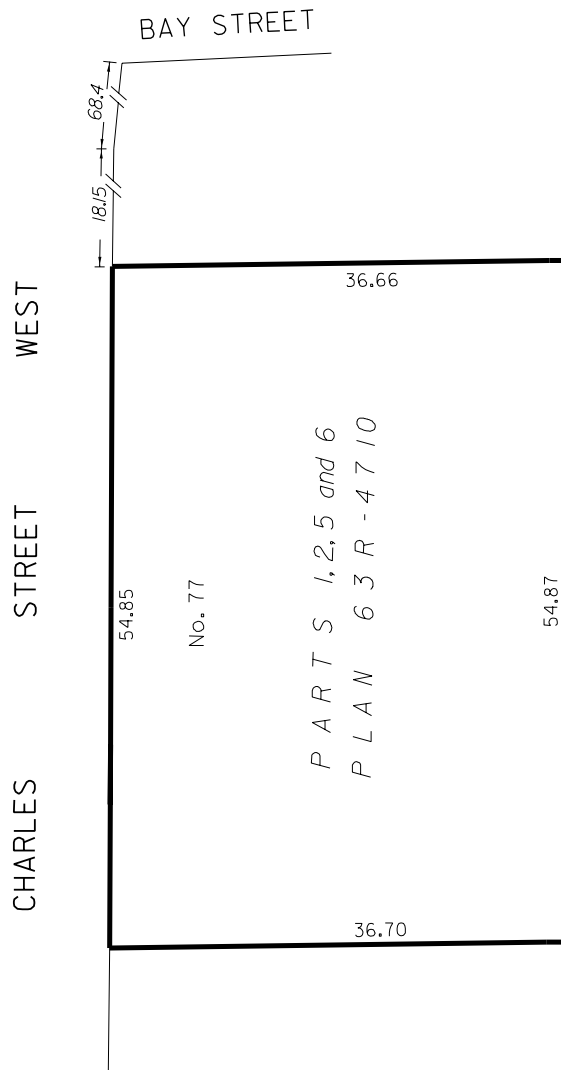
1. Section 18 of the Official Plan for the former City of Toronto is hereby amended by adding the following Section 18.674, and the attached Map 18.674, as follows:

“18.674 Lands known in the year 2005 as 77 Charles Street West.

1. Notwithstanding any of the provisions of this Plan, Council may pass by-laws with respect to the lands delineated by heavy lines on Map 18.674 attached hereto to permit the erection and use of a *mixed-use building* containing *residential* uses and, *institutional* uses and accessory uses thereto, provided that:
 - (1) the combined *residential gross floor area* and *non-residential gross floor area* does not exceed 13,200 square metres, of which the *residential gross floor area*, excluding dwelling rooms accessory to the institutional use, does not exceed 10,255 square metres; and
 - (2) pursuant to Section 37 of the *Planning Act*, such by-law requires the *owner* of the lands to provide the City of Toronto, in return for the residential density and height permission thereby granted, the following facilities, services and matters:
 - (i) to provide and maintain a work of art pursuant to a public art program in a publicly visible portion of the building having a value, including implementation of the public art program, not less than \$225,000;
 - (ii) provide a contribution of \$100,000 for area streetscape improvements, prior to the issuance of an above *grade* building permit for any development;
 - (iii) to utilize granite paving in the landscape plan between the main front wall of the *building* and the *front lot line* and to utilize limestone on the front elevation of the three-storey podium of the *mixed-use building*;
 - (iv) to pay for any improvements/upgrades to the municipal infrastructure should it be determined that improvements/upgrades are required to support the development, according to the submitted site servicing assessment as reviewed and accepted by the Executive Director, Technical Services;

- (v) to incorporate any measures into the building design should it be determined that measures are to required to mitigate the impact of wind conditions, according to the pedestrian level windy study as reviewed and accepted by the Chief Planner and Executive Director, City Planning;
 - (vi) to pay for the cost of relocating the curb and all its associated work on Charles Street West along the frontage of the site, and restoration of the public boulevards to the satisfaction of the Executive Director, Technical Services;
 - (vii) to submit, prior to site plan approval, to the Executive Director, Technical Services, a certified cheque in the amount of \$2,796.29, payable to the Treasurer, City of Toronto, for City staff to upgrade two of the existing luminaires and install a new luminary on an existing pole on the public right-of-way of Charles Street West; and
 - (viii) to install, at their expense, an irrigation system with automatic timer for all new street trees in the Charles Street West right-of-way adjacent to the site, to the satisfaction of the Executive Director, Technical Services, and ensure that the irrigation system is designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer including requirements to maintain in good order and operation; and
 - (ix) to install, at their expense, an irrigation system with automatic timer for all new street trees in the Charles Street West right-of-way adjacent to the site, to the satisfaction of the Executive Director, Technical Services, and ensure that the irrigation system is designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer including requirements to maintain in good order and operation.
2. The *owner* of the lands shall enter into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters required in Section 1(2) herein and agrees to the registration of such agreement against the lands, as a first charge.
3. For the purpose of this Amendment, all italicized words or expressions have the same meaning as the definitions contained in By-law No. 438-86, as amended, of the former City of Toronto.”

MAP 18.674



TECHNICAL SERVICES
SURVEY AND MAPPING SERVICES
TORONTO SEPTEMBER 2005
OPA05/18674.DGN
FILE: C43-Z2
MAP No. 50H-323 DRAWN: VG